REMARKS

This amendment is in response to the Final Office Action mailed September 16, 2003. Applicants request entry and consideration.

In the drawings, Figure 1 has been amended to add the mistakenly-omitted reference label "19" to the item below item 18.

In the specification, two paragraphs have been revised to add a reference to the omitted reference label 19, and to clarify minor grammatical errors. No new matter has been added. Regarding page 9, line 2, applicants respectfully disagree that the word "be" should be inserted between "can" and "determine," because this sentence is intended to be in the active voice. To clarify this, applicant suggests that two commas be added, so that the sentence would read as follows: "The signal processing device 18 can determine, by means of the intensity of the detected response signal, to what extent the sensor 2.i is in contact with moisture."

Regarding claim 18, the word "optionally" has been deleted.

Regarding the rejection of claims 1-21 under 35 U.S.C. 112, applicants have amended claim1 to omit references to "active state" and "inactive state." The amendments to claim 1 also serve to reorganize the features of the claim, such as to clarify the communication function performed by the transmitter-receiver means, namely the way information is retrieved from the sensor. Applicants respectfully submit that these amendments (1) are formal, rather than substantive, in nature, (2) do not raise any additional issues requiring additional search, and (3) present the claims in better form for possible appeal. Accordingly, applicants request entry of these amendments, pursuant to 37 C.F.R. § 1.116(b), and applicants suggest that the rejection under 35 U.S.C. 112 has now been overcome.

In paragraphs 5-9 of the Office Action, the Examiner has rejected claims 1-21 under 35 U.S.C. 103. Applicants respectfully disagree.

Regarding the DE 4030284 reference cited by the Examiner, this reference has a moisture sensor wherein the resistance decreases upon exposure to moisture. This teaches away from the present invention, because the present invention includes a sensor wherein the resistance increases upon exposure to moisture. Page 1, lines 26-27.

A problem to be solved by the present invention is how to retrieve information from a moisture sensor in an improved manner. This problem is solved in the present invention by the two-way wireless communication scheme as set out by features a) to d) of amended claim 1.

None of the cited references EP 0329436, DE 40 30 284, GB 2 192 059 or US 4,646,069, whether singly or in combination, discloses or suggests the communication system of the present invention.

In particular, DE 40 30 284 shows a wired communication system employing a generator G, the signal of which generator is applied to the sensor over windings W1 and W2 and received from the sensor over winding W3. ML is a measure wire.

GB 2 192 059 discloses an apparatus for determining the characteristics of a fluid. The communication system that is disclosed in fact is a one-way wireless communication system. A signal is generated from a generator 5 received by a receiver 9. The sensor 7 is coupled to the generator (see page 1, lines 86, 87) and controls the signal transmitted. The sensor 7 thus is part of the transmitter-receiver means in the terms of the invention. Having the invention in mind, one might be tempted to have another view of the communication system as a two-way communication system. In this approach the first path is the signal applied via the generator 8 to the generator 5 that is coupled to the sensor 7. The second path comprises the path from the generator 5 to the receiver 9. Although such an approach would yield, with hindsight, a two-way

communication system, the first path is by no means wireless as required by amended claim 1 of the present invention. Indeed, all types of activation of the generator 5 require a distortion of the wall of the vessel containing the oil. In the preferred embodiment this is done by a mechanical pulse generator 8 via a rod triggering a piezoelectric crystal of the generator 5. Page 2, lines 1-29 describe other ways of activation but in all applications mechanical shocks are applied to the wall, making the first path of the alleged two-way communication system wired.

Finally, Andrejasich et al. US Patent 4,646,069 discloses a fluid detection system. The system clearly is a wired system using a cable 21. Moreover and especially with regard to claim 17 on the identification of the sensors, the system of US '069 is different from the system according to the invention. In US '069 the generated signal already contains a code of a sensor to which signal the already selected sensor responds. As stated in claim 17, however, a non-selective signal is generated while the sensor adds an identification signal to the response that can be recognized at the reading means.

In conclusion, amended claim 1 clarifies the two-way wireless communication system for the retrieval of data from the sensor. None of the citations presently known or any combination of them discloses or suggests such a communication system. Nor would a person of ordinary skill in the pertinent art be motivated to combine the references in the manner suggested by the Examiner. Wireless activation of the sensor and wireless retrieval of the information of the sensor improves the flexibility of the system as such and the object, e.g. a human being wearing a incontinence diaper.

Further, regarding dependent claims 4, 5 and 9, reference DE 40 30 284 does not disclose an LC circuit made of moisture sensitive material. Only moisture sensor FS is.

Regarding claims 10 and 11, these claims are not anticipated or rendered obvious by reference DE 40 30 284, either alone or in combination with Nishijima and/ or Roberts, because DE 40 30 284 only discloses two states, i.e. dry and wet.

Regarding dependent claim 15, reference DE 40 30 284 does not disclose an absorption system.

Regarding dependent claim 16, Roberts does not disclose an alarm signal, only a "simple indication" (page 1, lines 112-113).

Regarding dependent claim 17, Roberts does not disclose a microprocessor. There are also significant differences between the present invention and the Andrejasich reference. See discussion above with respect to Andrejasich.

Accordingly, all claims are now believed to be allowable, and applicants respectfully request that a timely Notice of Allowance be issued in this case.

If there are still unresolved issues or questions, it is requested that the Examiner contact applicant's attorney so that appropriate arrangements can be made for discussing and perhaps resolving the same. Applicant's attorney can be reached at: (212) 661-8000.

Change of address: Please note that the corresponding address for applicants' attorneys has changed to the address specified below

Respectfully submitted,

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